

Element 2 : TMDLS

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Total Maximum Daily Loads (TMDLs) and Water Quality Management Plans

The federal Clean Water Act requires that water pollutant budgets, called TMDLs, be developed for waterbodies that do not meet water quality standards. TMDLs describe the maximum amount of pollutants from municipal, industrial, commercial and surface runoff sources, including natural background, which can enter the river or stream without violating water quality standards. These estimates are required for waterbodies that have been identified as in violation of one or more water quality standards at some time, and have been included on one of DEQ's 303d lists of water quality limited waterbodies.

DEQ develops TMDLs on a basin or subbasin scale (generally on a 3rd field US Geological Survey Hydrologic Unit Code or smaller). These TMDLs address all sources of pollutants when determining allocations of loading for the pollutants being addressed by the TMDL. These allocations are developed through water quality analysis, statistical analysis, and mathematical modeling. Staff in the program conduct all facets of work in collecting, analyzing and presenting results. Staff will also perform public and stakeholder outreach to ensure input when decisions are being made. The combination of outreach and development provides for the transition from development of loading allocations to implementation in permits and watershed plans.

TMDL Wasteload Allocations are implemented through waste limits in permits for point source discharges, and Load Allocations are implemented as planning targets for other sources and designated management agencies. DEQ staff actively implement TMDLs by:

- Revising industrial and municipal wastewater permits to incorporate revised permit limits.
- Working with local communities and the Oregon Department of Agriculture through the Agriculture Water Quality Management Act process to implement the TMDLs effectively on agricultural lands.
- Working with the Oregon Department of Forestry for implementation on state and private forestlands, through the Oregon Forest Practices Act and long range management plans.
- Assisting local governments in developing TMDL Implementation Plans for urban areas.
- Working with the U.S. Forest Service, Bureau of Land Management and other federal agencies on developing water quality restoration plans for lands under their jurisdiction.
- Working with ODA, ODF, and other DMA's on TMDL implementation planning timelines, milestones for pollutant reduction targets and strategies to reduce pollutants, such as sediment, temperature, nutrients and bacteria.

Under most circumstances, TMDL Implementation plans for improved water quality rely on cooperation among landowners and land managers within a river basin. Local watershed councils, Soil and Water Conservation Districts or other organizations will serve as community-based coordination points for these united efforts. Agencies and municipalities with jurisdiction over sources of nonpoint source pollution and sources not covered by permit are required to submit TMDL implementation plans to DEQ. These plans describe actions that will be taken to reduce their contribution to ~~W~~^W~~Q~~^Qater ~~Q~~^Quality problems.

EPA, with input from the states, has developed a new long term vision for assessment, restoration, and protection under the Clean Water Act Section 303(d) Program that was finalized December 5, 2013. The EPA Vision document includes the components: prioritization, assessment, protection, alternatives, engagement, and integration. The states have been requested to develop a plan that is consistent with EPA's 303(d) Vision by December 31, 2014 [with updates to the Vision reflected in this Element of the PPG](#).

Environmental Outcome: Development and implementation of TMDLs will contribute to protection of the beneficial uses and meeting water quality standards in Oregon's waterbodies and water quality improvements as measured by water quality data and other environmental data and measures in TMDLs, WQMPs and TMDL implementation plans.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM
2.1	Develop TMDLs and WQMPs in accordance with 303(d) list schedule.	<u>Provide technical assistance, comments, and information on TMDLs; Review and provide decisions on TMDLs; approve</u>	Issuance of TMDLs for the: - Coquille Basin - MidCoast Basins - Chetco Basin - Sixes Basin Begin Powder/Burnt Basins TMDL Development Upper Deschutes Basin TMDL Development Begin Coos TMDL development <u>Issuance of revised TMDLs for the:</u> <u>-Upper Klamath River and Lost River TMDLs (chlorophyll-a, ammonia toxicity, phosphorus, and pH</u> <u>-Western Hood Temperature TMDL</u> <u>Evaluate and develop potential approaches for the remaining category 5 and 3 listings for the Willamette Basin</u>	12/16 12/15 6/17 6/17 3/18 Ongoing 12/17 <u>9/16</u> <u>9/16</u> <u>12/16</u>	Partial	WQ-8b
2.2	Implement TMDL Wasteload Allocations in NPDES permits through collaboration with NPDES permit writers.		Pollutant Discharge Limits that will meet WLAs for each permitted discharge.	Ongoing	Partial	

Commented [WJ1]: Insert Willamette Mercury TMDL here or add another DEQ commitment on Willamette Mercury TMDL work as a sub-bullet. Broader toxics TMDL work?

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM
2.3	Implement the Willamette River Basin TMDL. Work with watershed councils, local governments, and other DMAs to develop appropriate management practices and plans for controlling pollutants to the Willamette River. Work with USDA agencies to leverage Farm Bill resources to implement priority best management practices in critical areas.		Completed Implementation plans throughout Willamette Basin that guide management practices, pollutant controls to meet load allocations in TMDLs. Facilitate projects that result in improvements in water quality.	Ongoing	Partial	
2.4	<u>Review and amend existing TMDL/WQMP and include in future TMDL/WQMP</u> include robust Reasonable Assurance documentation in the TMDL and WQMP to implement TMDLs for Nonpoint Sources in subbasins where TMDLs/WQMPs have been completed <u>and are being completed</u> . Work with watershed councils, local governments and other DMAs to develop appropriate management practices and plans for controlling pollutants. Work with USDA agencies to leverage Farm Bill resources to implement priority best management practices in critical areas.	Pursue participation in review of grant applications for NRCS/Farm Bureau water quality programs such as EQIP. <u>Work with Corps of Engineers on TMDL implementation.</u>	Completed TMDL, WQMP and implementation plans that guide management practices, pollutant controls to meet load allocations in TMDLs. Facilitate projects that result in improvements in water quality.	Ongoing	Partial	WQ-10
2.5	<u>Implementation of load allocations or require TMDL implementation plans for all sources assigned load allocations.</u>	Review and provide input to DEQ on implementation plans developed in response to issued TMDL/WQMPs	Implementation plans that meet load allocations or management measures identified in the TMDL/WQMP. Annual reporting by DMAs of TMDL implementation and 5 year review of TMDL implementation by DEQ.	Ongoing	Partial	
2.6	Develop and implement TMDL/WQMP/IP as one of the approaches to address the deficiencies in the CZARA Coastal Nonpoint Control Plan additional management measures for forestry identified by EPA and NOAA (7/28/2015) as described in the Governor's Natural Resource Office letter (2/10/2016). <u>Incorporate New Development guidelines and Onsite Sewer Disposal Systems</u>	Review and provide input on source assessment, allocations, reasonable assurance with timelines and milestones, management	Completed TMDL, WQMP, and IP that guide management practices, pollutant controls, timelines and milestones for administrative outputs, and landscape, riparian, and water quality outcome status and trends to meet TMDL allocations.	At issuance of the <u>MidCoast</u> TMDLs	Partial	

Commented [CJ3]: This measure does not apply to this commitment. This is a NPS measure.

Commented [WJ2]: Making sure I understand this. The idea is to look at past TMDLs in addition to future ones re: reasonable assurances?

Commented [CJ4]: As a condition of using § 319 funds to develop TMDLs, Ecology must include the following supplemental information to support the load allocations specified in the TMDL: (1) an identification of total NPS existing loads and total NPS load reductions necessary to meet water quality standards, by source type; (2) a detailed identification of the causes and sources of NPS pollution by source type to be addressed in order to achieve the load reductions specified in the TMDL (e.g., acres of various row crops, number and size of animal feedlots, acres and density of residential areas); and (3) an analysis of the NPS management measures by source type expected to be implemented to achieve the necessary load reductions, with the recognition that adaptive management may be necessary during implementation. The purpose of this condition is to ensure that TMDLs have maximum utility for informing and facilitating implementation of NPS projects.

Is there a way to incorporate some of these requirements into this commitment or another one?

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM
	(OSDS) actions in TMDL/WQMPs as described in CZARA management measures.	measures, and adaptive resource management as part of the TMDL, WQMP or IP				
2.7	Work with EPA to develop a plan that is consistent on with EPA's 303(d) Vision timelines for, by December 31, 2014. This plan may describe ODEQ's process, actions, or determinations on the following components of EPA's 303(d) Vision: prioritization, assessment, protection, alternatives, engagement, and integration.	Review and provide input to DEQ on TMDL Program planning documents. Assist DEQ on data input for 303(d) Vision commitments.	Incorporate the components of EPA's 303(d) TMDL Vision into the TMDL Program planning documents.	Ongoing	Partial	

Commented [WJ5]: My point here was to include the OSDS and New Development guidelines in TMDLs. This could probably be written better.

Commented [WJ6]: Not related to PPA/PPG, but related to 303(d) Vision, please let me know if you're okay with the email I sent on the Vision with regards to proposed additions.

